

**DEPARTMENT OF NATURAL RESOURCES  
ENVIRONMENTAL PROTECTION COMMISSION  
ATTORNEY GENERAL REFERRALS  
November 2008**

<b>Name, Location and Region Number</b>	<b>Program</b>	<b>Alleged Violation</b>	<b>DNR Action</b>	<b>New or Updated Status</b>	<b>Date</b>
BBR, LLC Spirit Lake (3)	Air Quality Solid Waste	Open Burning; Illegal Disposal	Order/Penalty	Referred Petition Filed Motion for Leave to Amend Order Granting Leave Amended and Substituted Petition Trial Date	9/19/06 4/18/07 6/12/07 6/18/07 6/18/07 9/16/08
Bulk Petroleum Corporation 28 Sites (1) (6) <b>UPDATED</b>	Underground Tank	Operation and Maintenance Violations	Referred to Attorney General	Referred Petition Filed Trial Date Amended Petition Trial Date	6/19/06 2/01/07 10/01/08 9/24/08 3/30/09
Cargill, Inc.; Mort's, Inc. Iowa Falls (2)	Solid Waste Wastewater	Illegal Disposal; Prohibited Discharge	Referred to Attorney General	Referred Petition Filed Cargill Consent Decree (\$100,000/Civil; Injunction)	11/14/06 3/10/08 3/10/08
Clinton, City of (6)	Wastewater	Compliance Schedule; Discharge Limits	Referred to Attorney General	Referred	9/19/05
Cohrs, Bernard; Cohrs Construction Dickinson Co. (3) <b>UPDATED</b>	Air Quality Solid Waste	Open Burning; Illegal Disposal	Referred to Attorney General	Referred Petition Filed Motion to Compel Order Granting Motion to Compel Compliance Hearing Date Consent Decree (\$10,000/Civil; Permanent Injunction)	11/14/06 9/20/07 6/02/08 6/16/08 8/18/08 10/13/08
Creston Bean Processing, LLC Creston (4)	Air Quality	Operational Violations; Monitoring/Reporting	Referred to Attorney General	Referred	9/04/07
Dallas Pork, et. al. Dallas Co. (5) <b>NEW</b>	Animal Feeding Operation	EPC and IDNR Defendants	Defense	Petition Filed Consent Decree	10/14/08 10/14/08
Des Moines, City of; Metropolitan WW Reclamation Authority (5)	Wastewater	Compliance Schedule	Referred to Attorney General	Referred	8/15/06
De Vos, Harold and Sharon Rock Rapids (3)	Air Quality Solid Waste Wastewater	Open Burning; Illegal Disposal; Operation Without Permit	Order	Referred Petition Filed Motion for Partial Summary Judgment Hearing on Motion Proposed Ruling by State Ruling Granting Partial Summary Judgment Trial on Civil Penalties Ruling (\$88,000/civil; injunction)	9/19/06 1/23/07 6/08/07 7/09/07 8/10/07 9/24/07 2/19/08 8/14/08

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Dudden, Kyle Reinbeck (2)	NEW	Animal Feeding Operation	Failure to Submit Plan	Order/Penalty	Referred	10/4/08
Environmental Recycling Co., Inc. Dwight Oglesbee Masena (4)		Air Quality Solid Waste	Open Burning; Illegal Disposal	Referred to Attorney General	Referred Petition Filed Motion to Compel Order Granting Motion to Compel Trial Date	12/05/06 9/20/07 6/05/08 7/28/08 1/14/09
Equitable L.P/The Equitable Condos Des Moines (5)		Air Quality	Asbestos	Referred to Attorney General	Referred	3/11/08
Feinberg Metals Recycling Corp., Ft. Madison (6)		Solid Waste Wastewater	Operation Without Permit; Illegal Disposal; Stormwater – Operation Without Permit	Referred to Attorney General	Referred	3/06/07
Flying J, Inc.; CFJ Plaza Co. II, LLC; and CFJ Properties Clive (5)		Underground Tank Wastewater	Remedial Action; Prohibited Discharge; Pollution Prevention Plan Violations	Referred to Attorney General	Referred	11/07/07
Kay, Todd Buena Vista Co. (3)		Animal Feeding Operation	Failure to Submit Plan	Referred to Attorney General	Referred	5/13/08
Kruse Dairy Farm, Inc. Dyersville (1)		Animal Feeding Operation	Failure to Submit Plan	Order/Penalty	Referred	12/19/05
Leigh, Marsha Glenwood (4)		Air Quality Solid Waste	Open Burning; Illegal Disposal	Order/Penalty	Referred Petition Filed Defendant's Motion to Dismiss State's Resistance/Motion to Dismiss Motion to Intervene Hearing on Motion to Dismiss Ruling Denying Motion to Dismiss Resistance to Motion to Intervene Hearing on Motion to Intervene Ruling Denying Motion to Intervene Hearing on Defense Motions Motion for Judgment on Default Order Granting Default Judgment (\$100,000/Civil; \$10,000/Admin. & Injunction)	9/20/04 3/29/05 4/20/05 5/02/05 5/12/05 5/23/05 5/23/05 5/23/05 6/27/05 6/29/05 12/05/05 9/12/05 12/7/05

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Lincolnway Energy, Inc. Nevada (5)	Wastewater	Discharge Limits	Referred to Attorney General	Referred	12/04/07
Matrix Metals d/b/a Keokuk Steel Castings, Co. Keokuk (6)	Air Quality	Particulate	Referred to Attorney General	Referred	9/04/07
Moellers, Kenneth Cresco (1)	Animal Feeding Operation	Prohibited Discharge – Open Feedlot; Failure to Report a Release; WQ Violations – General Criteria	Referred to AG	Referred Petition Filed Trial Date	2/20/06 12/11/06 11/19/08
Oakland Foods, LLC Oakland (4)	Wastewater Air Quality	Permit Violations; Construction Without Permit	Referred to Attorney General	Referred	3/11/08
Organic Technologies; Tim Danley; Ken Renfrow; Mike Danley Warren Co. (5)	Solid Waste	Permit Violations	Referred to Attorney General	Referred Petition Filed Application for Temporary Injunction Temporary Injunction Trial Date Partial Judgment (Clean-up Order) Contempt Application Contempt Hearing Date Contempt Finding and Civil Penalty (\$100,000 and 30 Days in Jail – Suspended until 7/8/03) Hearing Regarding Contempt Order Regarding Bond/Cleanup Deadline Bond Posted State Objections to Bond Ruling Denying Objections to Bond Status Hearing Date Hearing on Motion to Extend Cleanup Deadline Order Reinstating \$100,000 Civil Penalty Site Clean-up Completed	12/15/97 10/02/98 2/04/99 4/19/99 9/13/00 9/28/00 12/12/02 2/20/03 2/20/03  7/09/03 8/01/03  8/01/03 8/20/03 9/18/03 4/16/04 12/10/04  1/05/05 8/15/06
River Bluff Resort, LLC; C.J. Moyna & Sons, Inc.; P.A. McGuire Construction McGregor (1)	Wastewater	Stormwater – Pollution Prevention Plan Violations; Water Quality Violations – General Criteria	Referred to Attorney General	Referred Tax Sale by County Petition Filed	4/03/07 6/18/07 4/15/08
Roquette America, Inc. Keokuk (6)	Air Quality	Construction Without Permit	Referred to Attorney General	Referred	9/19/06

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Schoenberr, R. B. d/b/a Long Branch Tavern Monmouth (1)	Drinking Water	Permit Renewal	Orders/Penalties	Referred Court Order Re-Referred Petition Filed Application for Contempt Contempt Hearing Order for Contempt (\$3,000 fine) Arrest Warrant Issued Contempt/Temporary Injunction Hearing Temporary Injunction Granted Contempt Hearing Date Contempt Hearing Order Finding Defendant in Contempt \$3,000 Fine Amended Petition Order Granting Judgment on Default (\$10,000/civil; injunction)	6/20/97 12/09/98 11/21/02 3/11/05 3/11/05 4/01/05 8/05/05 4/01/05 5/03/05 5/03/05 7/06/05 8/05/05 8/05/05 1/31/06 1/04/08
Sharkey, Dennis Dubuque Co. (1)	Air Quality Solid Waste	Open Burning; Illegal Disposal	Referred to Attorney General	Referred Petition Filed	4/03/07 9/20/07
Siouxland Energy & Livestock Coop Sioux Center (3)	Air Quality	Construction Without Permit	Referred to Attorney General	Referred	9/04/07
Sioux Pharm, Inc. Sioux County (3)	Wastewater	Operational Violations	Referred to Attorney General	Referred	3/11/08
Stone v. Rembrand Enterprises, Inc.	Animal Feeding Operation	DNR Defendant	Defense	Petition Filed State Motion to Dismiss Hearing Ruling Dismissing Damage Claims State's Motion for Summary Judgment Order Granting Continuance Hearing on Summary Judgment State's Supp. Reply to Plaintiff's Resistance to Motion for Summary Judgment Ruling Denying Motion for Summary Judgment Application for Interlocutory Appeal Memorandum in Support of Interlocutory Appeal Application Denied Motion for Separate Trial Hearing on Motion for Separate Trial Order Granting Separate Trial Trial Brief Reply Brief Trial Date Ruling for State Application for Interlocutory Appeal Supreme Court Order Denying Interlocutory Appeal	12/06/04 1/10/05 3/07/05 5/17/05 2/27/06 3/20/06 5/01/06 6/19/06 10/04/06 11/03/06 11/03/06 1/08/07 1/22/07 3/05/07 3/14/07 4/06/07 4/13/07 4/16/07 9/17/07 10/18/07 1/29/08

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Sweitzer, Chad and Lona; Winter Mobile Home Park New Hampton (1)	Drinking Water	Operation Without Permit; Monitoring/Reporting – Bacteria; MCL – Bacteria	Referred to Attorney General	Referred	11/14/06
				Petition Filed	5/03/07
				Demand for Default	8/16/07
				Order Granting Judgment on Default (\$5,000/civil; injunction)	10/09/07
Welch Oil, Inc.; Boondocks USA, Inc. Lucas Co. (2)	Wastewater; Drinking Water	Monitoring/Reporting	Referred to Attorney General	Referred	12/04/07
Yentes, Clifford Council Bluffs (4) <b>UPDATED</b>	Solid Waste	Illegal Disposal	Referred to Attorney General	Referred	4/03/07
				Petition Filed	9/21/07
				Contempt Application Filed	9/21/07
				Contempt Hearing	11/05/07
				Ruling on Contempt Application	11/29/07
				(90 days jail suspended/\$500 fine)	2/18/08
				Compliance Hearing	4/27/08
				Compliance Hearing	5/28/08
				Compliance Hearing Date	6/30/08
				Compliance Hearing	8/04/08
				Compliance Hearing Date	9/08/08
				Compliance Hearing Date	12/05/08

**Iowa Department of Natural Resources  
Environmental Services  
Report of WW By-passes**

During the period September 1, 2008 through September 30, 2008, 11 reports of wastewater by-passes were received. A general summary and count by field office is presented below. This does not include by-passes resulting from precipitation events.

<b>Month</b>	<b>Total</b>	<b>Avg. Length (days)</b>	<b>Avg. Volume (MGD)</b>	<b>Sampling Required</b>	<b>Fish Kill</b>
October '07	10(3)	0.147	0.004	2	0(0)
November '07	8(3)	3.697	0.027	3	0(0)
December '07	9(11)	0.365	0.048	2	0(0)
January '08	6(7)	0.725	0.001	0	0(0)
February '08	11(34)	0.280	0.255	2	0(0)
March '08	13(14)	0.464	0.047	4	0(0)
April '08	7(22)	0.736	0.221	3	0(0)
May '08	13(8)	0.389	0.107	3	0(0)
June '08	3(11)	0.281	0.367	2	0(0)
July '08	12(14)	0.132	0.197	4	0(0)
August '08	9(8)	0.401	0.043	2	0(0)
September '08	11(18)	0.175	0.005	2	0(0)

(numbers in parentheses for same period last year)

Total Number of Incidents Per Field Office This Period:

<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>
1	1	1	0	4	4

# Environmental Services Division

## Variance Report

10/22/2008

### Monthly Variance Report August 2008

Item No.	Facility/City	Program	DNR Reviewer	Subject	Decision	Date
1	Black Hawk County Solid Waste Commission	Land Quality	Matthew Phoenix	Variance to use 18" layer of tire shreds as a soil drainage layer.	Approved	7/24/2008
2	Koch Nitrogen Company	Air Quality	Diane Brockshus	Variance to operate a temporary Flare.	Approved	8/4/2008
3	John Deere Engine Works	Air Quality	Reid Bermel	Variance to operate test cells without a construction permit.	Approved	8/5/2008
4	United States Gypsum	Air Quality	Reid Bermel	Variance to run a new raw material "Silozane" without a construction permit.	Approved	8/5/2008
5	IPL/Burlington Generating Station	Air Quality	Reid Bermel	Variance to temporarily operate & test an activated carbon injection systems without a construction permit.	Approved	8/5/2008
6	Saratoga Presbyterian Church	Water Supply	Daryl Enfield	Variance from separation distance and legal control requirements	Approved	8/8/2008
7	Lincolnway Energy	Air Quality	Diane Brockshus	Variance to use an alternate source of coal.	Approved	8/8/2008
8	Kossuth County	Land Quality	Nina Koger	Variance to exceed the maximum slope of the final cover.	Approved	8/12/2008
9	Henniges Automotive	Air Quality	Reid Bermel	Variance to temporarily reconfigure exhaust points without a construction permit	Approved	8/12/2008
10	Bohac-Picek Family Partnership	Wastewater	Satya Chennupati	Variance of separation distance from wastewater system to inhabitable structures.	Approved	8/15/2008
11	Norplex Micarta	Air Quality	Reid Bermel	Variance to replace the heat exchanger without a construction permit.	Approved	8/20/2008
12	InfraSource	Air Quality	Reid Bermel	Variance to operate a temporary generator.	Approved	8/16/2008
13	Platinum Ethanol, LLC	Air Quality	Bryan Bunton	Variance request to receive corn prior to paving haul roads	Approved	8/18/2008
14	Cargill Corn Milling	Air Quality	Bryan Bunton	Variance request to process soybeans in the pilot plant	Approved	8/18/2008
15	Pella Municipal Power Plant	Air Quality	Bryan Bunton	Variance request for a trial burn of alternative fuels	Approved	8/18/2008
16	KI & I	Air Quality	Bryan Bunton	Variance to extend the effective date of construction permit	Denied	8/19/2008
17	Henniges Automotive	Air Quality	Reid Bermel	Variance to reconfigure some of the exhaust points without a construction permit	Approved	8/25/2008
18	Michels Corporation	Air Quality	Bryan Bunton	Variance to operate a drill rig without a permit	Approved	8/26/2008
19	Cargill	Air Quality	Bryan Bunton	Variance to vent a germ dryer directly to atmosphere.	Approved	8/28/2008
20	Rock Valley Rural Water District	Water Supply	Bob Campbell	Variance request from PVC pipe pressure rating requirements.	Approved	8/28/2008

# Environmental Services Division Variance Report

10/22/2008

Monthly Variance Report September 2008						
Item No.	Facility/City	Program	DNR Reviewer	Subject	Decision	Date
1	Robert Ziegmann	Wastewater	Sara Smith	Variance to construct prior to obtaining construction permits	Approved	8/25/2008
2	Frontier Pipeline, LLC	Air Quality	Bryan Bunton	Variance to operate two mobile drilling systems without a construction permit	Approved	9/2/2008
3	Michels Corporation	Air Quality	Bryan Bunton	Variance to Operate up to 8 compressors without obtaining a permit.	Approved	9/3/2008
4	Longview Estates	Water Supply	Diana Overstake	Variance for use of Non-ASME pressure tanks	Denied	9/4/2008
5	MidAmerican Energy	Air Quality	Reid Bermel	Variance for 6 month extension of deadline for permits	Denied	9/9/2008
6	City of Charles City	Water Supply	Bob Campbell	Variance for Water Quality Testing	Approved	9/11/2008
7	Church of Jesus Christ of Latter-Day Saints	Water Supply	Diana Overstake	Variance for use of Non-ASME pressure tanks & reduction in storage capacity.	Approved	9/12/2008
8	John Deere Dubuque Works	Land Quality	Chad Stobbe	Variance from financial assurance.	Approved	9/12/2008
9	MidAmerican Energy	Land Quality	Chad Stobbe	Variance from financial assurance.	Approved	9/12/2008
10	City of Mason City	Wastewater	Anne Hildebrand	Variance for monitoring frequency.	Denied	9/17/2008
11	City of Mason City	Wastewater	Anne Hildebrand	Variance to reduce CBOD5 & TSS monitoring.	Approved	9/17/2008
12	City of Hubbard	Air Quality	Dennis Thielen	Variance to allow open burning.	Denied	9/18/2008
13	Todd Weber	Air Quality	Bryan Bunton	Variance to burn brush pile.	Denied	9/19/2008
14	Metor Waste Authority	Land Quality	Chad Stobbe	Variance to dispose of sewage sludge.	Approved	9/23/2008
15	Northern Natural Gas Company	Air Quality	Dennis Thielen	Variance to operate a temporary auxiliary generator.	Approved	9/24/2008
16	MidAmerican Energy	Air Quality	Bryan Bunton	Variance to dispose of a controlled substance.	Approved	9/30/2008



**DEPARTMENT OF NATURAL RESOURCES  
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CONTESTED CASES  
November, 2008**

<b>DATE RECEIVED</b>	<b>NAME OF CASE</b>	<b>F.O.</b>	<b>ACTION APPEALED</b>	<b>PROGRAM</b>	<b>ASSIGNED TO</b>	<b>STATUS</b>
4/26/99	Gerald and Judith Vens	6	Order/Penalty	FP	Clark	4/09/07 – Internal meeting with DNR management set for 4/12/07. 5/09/07 – Clark calls Vens’ attorney and extends settlement offer. Attorney agrees to inform client and get back to Dept. with response. 5/16/07 – Response from Vens’ attorney indicating qualified agreement with settlement offer pending an inspection by DNR staff.
10/02/01	Daryl Larson	6	Order	AFO	Clark	Hearing set for 12/04/07. 11/27/07 – DNR files motion for default entry. 12/21/07 – Default entry/Proposed Decision. No appeal
11/27/01	Dallas County Care Facility	5	Order/Penalty	WW	Hansen	10/03 – Letter to County attorney regarding appeal resolution. 1/04 – Letter to attorney regarding appeal. 4/04 – Dept. letter to attorney regarding appeal. 9/04 – Dept. letter to attorney regarding appeal. 6/26/07 – Appeal resolved. Facility connected to City WWTF. Consent order to be issued.
4/25/03	Ag Processing Inc.	2	Permit Conditions	AQ	Preziosi	Continuing to negotiate.
12/02/03	Jeff Holland	2	Order/Penalty	AFO	Clark	6/6/07 - Dept. letter to Mr. Holland indicating case will be sent to DIA if settlement not reached by 6/22/07. 6/14/07 – Phone call from Mr. Holland. Tentative settlement pending receipt of swine depopulation history.
12/15/03	AGP (Emmetsburg)	3	Permit Conditions	AQ	Preziosi	Continuing to negotiate.
2/09/04	Swine USA, LP	5	Order/Penalty	AFO	Clark	2/2/07 – Draft Consent Order sent to attorney for new owner. 6/19/07 – Clark sends email concerning issues at other former Swine USA operations acquired by Whitestone. 6/27/07 – Whitestone attorney responds with general agreement to settlement but needs to confirm with client.
4/08/04	Silver Creek Feeders	4	Permit Conditions	AFO	Clark	Negotiating before filing.
4/16/04	Ag Processing Inc. (Sheldon)	3	Permit Conditions	AQ	Preziosi	Continuing to negotiate.
5/12/04	Ag Processing, Inc.	3	Permit Conditions	AQ	Preziosi	Continuing to negotiate.
2/27/06	Greig & Co., Inc.	3	NPDES Permit	WW	Clark	Negotiating before filing.
4/10/06	Praxair, Inc.		Permit Conditions	AQ	Preziosi	Negotiating before filing..

\* These cases were previously assigned to Mike Murphy.

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7/07/06	Washington County (Permittee: Riverside Casino)	6	Water Use Permit	WR	Clark	Negotiating before filing.
8/09/06	Cargill (Eddyville)	5	Permit Conditions	AQ	Preziosi	Negotiating before filing.
1/08/07	Cargill (Eddyville) 02-A-393-S3, 02-A-394-S2, 02-A-395-S2, 02-396-S3, 05-A-930, 05-A-931	5	Permit Conditions	AQ	Preziosi	Negotiating before filing.
1/09/07	Charlie Van Meter; Van Meter Feedyard	5	Permit Conditions	WW	Clark	Negotiating before filing.
1/11/07	Clow Valve Company (20 Permits)	5	Permit Conditions	AQ	Preziosi	Negotiating before filing.
6/13/07	Crossroads Cattle Co.; John Reisz	4	Permit Conditions	WW	Clark	Negotiating before filing.
6/25/07	Rick Onken		Permit Conditions	WW	Clark	Negotiating before filing.
8/10/07	Tate & Lyle Ingredients Americas	2	Permit Conditions	AQ	Preziosi	Negotiating before filing.
8/10/07	Port Louisa Land Co.; E. A. Hicklin	6	Variance Denial	FP	Clark	Negotiating before filing.
9/25/07	Winneshiek County Conservation Board (Kendallville Park)	1	Permit Revision	WS	Hansen	Negotiating before filing.
11/05/07	Twin Knolls 6 <sup>th</sup> Addition	1	Permit Conditions	WS	Hansen	Negotiating before filing.
11/15/07	Alcoa	6	Permit Conditions; Permit # 97-A-140-S2	AQ	Preziosi	Negotiating before filing.
11/15/07	Alcoa	6	Permit Conditions; Permits #85-A-067P-S2; #87-A-045P-S2; #89-A-177P-S2	AQ	Preziosi	Negotiating before filing..
11/15/07	Gary West		Permit Denial	AFO	Clark	Negotiating before filing.
1/14/08	Alliant Energy	1	Permit Conditions	AQ	Preziosi	Negotiating before filing..
1/22/08	Des Moines County Regional Solid Waste Commission	6	Permit Condition; #29-SDP-01-76P	SW	Tack	Negotiating before filing.
2/22/08	Cliff's Place	1	Order/Penalty	WS	Hansen	<b>Negotiating before filing. To be set for DIA hearing.</b>
2/26/08	Bell Air Betterment Corporation	3	Permit Condition	WS	Hansen	<b>Negotiating before filing. To be set for DIA hearing.</b>

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3/10/08	Anthony Herman; Mighty Good Used Cars	5	Order/Penalty	WW	Tack	Negotiating before filing.
4/22/08	Environmental Reclamation and Recycling, LLC	5	Permit Rescission	SW	Tack	Sent to DIA to be set for hearing..
4/25/08	ADM (07-A-1078P, 07-A-1079P and 07-A-1080P)	5	Permit Conditions	AQ	Preziosi	Negotiating before filing.
4/28/08	South Central Iowa Landfill Agency	5	Permit Conditions	SW	Tack	Negotiating before filing.
5/05/08	Environmental Reclamation and Recycling LLC	5	Order	SW	Tack	Negotiating before filing.
5/15/08	Brush & Weed Control Specialists, Inc. and New Farmers Drainage District	4	Order/Penalty	WW	Wornson	Hearing scheduled for 11/07/08.
5/20/08	Page County Sanitary Landfill	4	Permit Conditions	SW	Tack	Negotiating before filing.
6/02/08	Ray Griffin	6	Order/Penalty	AQ/SW/ WW	Tack	Negotiating before filing.
7/02/08	Phoenix C&D Recycling, Inc.; R&A Properties	5	Permit Rescission	SW	Tack	Negotiating before filing.
9/03/08	Build to Suit, Inc.	6	Permit Denial (Davenport/Bettendorf)	WW	Tack	Negotiating before filing.
9/03/08	Dial Land Development	6	Permit Denial (Davenport/Bettendorf)	WW	Tack	Negotiating before filing.
10/01/08	Green Brier Subdivision	1	Permit Conditions	WS	Hansen	Negotiating before filing.
10/13/08	Sivyer Steel Corporation		Beneficial Use Denial	SW	Tack	Negotiating before filing.
10/14/08	Edna Richman	6	Order/Penalty	AQ/SW	Preziosi	Negotiating before filing.
10/15/08	SSAB Iowa Inc.	6	Permit Conditions	AQ	Preziosi	Negotiating before filing.
10/16/08	James D. Olchefski; Hidden Valley Mobile Home Park	6	Order/Penalty	AQ/SW	Preziosi	Negotiating before filing.
10/16/08	Robert A. Nicholson; Hidden Valley Mobile Home Park	6	Order/Penalty	AQ/SW	Preziosi	Negotiating before filing.

\* These cases were previously assigned to Mike Murphy.

**DATE:** November, 2008

**TO:** EPC

**FROM:** Ed Tormey

**RE:** Enforcement Report Update

The following new enforcement actions were taken during this reporting period:

Name, Location and Field Office Number Date	Program	Alleged Violation	Action	
Washington County Hospital and Clinics, Washington (6)	Air Quality	Asbestos	Consent Order \$1,000 \$4,000/SEP	9/24/08
Pieper, Inc. Lee Co. (6)	Air Quality	Open Burning	Consent Order \$1,250 Penalty \$3,750 SEP	9/26/08
Interstate Power and Light, Cedar Rapids (1)	Air Quality	Other	Consent Order	10/01/08
George Kramer Clinton Co. (6)	Air Quality Solid Waste	Open Burning; Illegal Disposal	Consent Order \$1,500	10/02/08
Newell, City of (3)	Air Quality Solid Waste	Open Burning; Asbestos; Illegal Disposal	Consent Order \$6,000	10/02/08
76 LTD Washington Co. (6)	Animal Feeding Operation	Failure to Update Plan	Consent Order \$2,000	10/02/08
Jim Yule, Packwood (6)	Animal Feeding Operation	Prohibited Discharge – Confinement	Consent Order \$2,500	10/02/08
Luft & Sons, Inc. Buena Vista Co. (3)	Air Quality	Open Burning	Consent Order \$1,500	10/07/08
Haley Equipment, Inc. Carroll Co. (4)	Air Quality Solid Waste	Open Burning; Illegal Disposal	Consent Order \$1,000	10/07/08
Wirtjers Trucking, Inc. Sac Co. (3)	Air Quality Solid Waste	Open Burning; Illegal Disposal	Consent Order \$5,000	10/07/08
John Bruening; FC Coop Buena Vista Co. (3)	Air Quality Solid Waste	Open Burning; Illegal Disposal	Consent Order \$1,000	10/07/08
J.D. Wollrab; Linn Hollow Mobile Home Park Washington Co. (6)	Air Quality Solid Waste	Open Burning; Illegal Disposal	Order/Penalty \$1,000	10/08/08
Jon Knabel Clinton Co. (6)	Air Quality Solid Waste	Open Burning; Illegal Disposal	Order/Penalty \$2,000	10/08/08

Name, Location and Field Office Number	Program	Alleged Violation	Action	Date
Cottonballs, LLC Winneshiek/Clayton (1)	Air Quality Solid Waste	Open Burning; Illegal Disposal	Consent Order \$10,000	10/08/08
Randy Alm, Popejoy (2)	Air Quality Solid Waste	Open Burning; Illegal Disposal	Order/Penalty \$10,000	10/10/08

IOWA DEPARTMENT OF NATURAL RESOURCES  
ENVIRONMENTAL PROTECTION COMMISSION  
RULEMAKING STATUS REPORT

November, 2008

PROPOSAL	NOTICE TO COMMISSION	NOTICE PUBLISHED	ARC #	RULES REVIEW COMMITTEE	HEARING	COMMENT PERIOD	FINAL SUMMARY TO COMMISSION	RULES ADOPTED	RULES PUBLISHED	ARC #	COMMITTEE	RULES REVIEW EFFECTIVE	RULE
1. Ch. 20, 23 – AQ Program Rules	10/14/08	*11/05/08		*12/09/08	*12/08/08	*12/09/08	*1/13/09	*1/13/09	*2/12/09			*3/09/09	*3/18/09
2. Ch. 22 – Controlling Pollution – Title V Fee Cap	9/09/08	10/08/08	7220B	*11/04/08	*11/12/08	*11/13/08	*11/10/08	*11/10/08	*12/03/08			*12/09/08	*1/07/09
3. Ch. 23 -- Air Quality Program Rules – Rescission of Vacated NESHAPS	11/10/08	*12/03/08		*12/08/08	*1/05/09	*1/06/09	*2/17/09	*2/17/09	*3/12/09			*4/09/09	*4/15/09
4. Ch. 50, 55 – Water Use and Application Permit Fees – Scope of Division – Definitions - Forms-Rules of Practice	10/14/08	*11/19/08		*12/9/08			*2/17/09	*2/17/09	*3/12/09			*4/09/09	*4/15/09
5. Ch. 60, 62, 63 and 64 – Wastewater Rules	8/19/08	9/10/08	7152B	10/14/08	10/7-9/08	10/10/08	*11/10/08	*11/10/08	*12/03/08			*12/09/08	*1/07/09
6. Ch. 61 -- Water Quality Standards, Section 401 Certification of Section 404 Regional Permit 7 (RP 7)	7/08/08	7/30/08	7039B	8/12/08	8/19/08	8/19/08	9/09/08	9/09/08	10/08/08	7218B		*11/04/08	*11/12/08
7. Ch. 61 – Antidegradation Policy and Implementation Procedures	10/14/08	11/05/08		*12/09/08	*12/3-5/08 *12/12/08	*12/12/08	*1/13/09	*1/13/09	*2/12/09			*3/09/09	*3/18/09
8. Ch. 64, 69 – Wastewater General Permit #4; Wastewater Construction and Operation Permit	10/14/08	11/05/08		*12/09/08			*1/13/09	*1/13/09	*2/12/09			*3/09/09	*3/18/09
9. Ch. 101 – Solid Waste Comprehensive Planning Requirements	10/14/08	11/05/08		*12/09/08	*11/25/08	*11/25/08	*1/13/09	*1/13/09	*2/12/09			*3/09/09	*3/18/09
10. Ch. 107 -- Beverage Container Deposits, New Rule <b>107.16(455C)</b>	7/08/08	7/30/08	7038B	8/12/08	8/19/08	8/19/08	9/09/08	9/09/08	10/08/08	7210B		*11/04/08	*11/12/08
11. Ch. 113 – Sanitary Landfills for Municipal Solid Waste; Groundwater Protection Systems for the Disposal of Non-Hazardous Wastes	5/13/07	6/04/08	6828B	6/10/07	7/10/08	7/08/08	*11/10/08	*11/10/08	*12/03/08			*12/09/08	*1/07/09
12. Ch. 119 – Waste Oil	9/09/08	10/08/08	7219B	*11/04/08	*10/28/08	*10/28/08	*11/10/08	*11/10/08	*12/03/08			*12/09/08	*1/07/09
13. Ch. 135 – UST Rules -- Assessment of Risk to Public Water Supply Wells	11/10/08	12/03/08		*12/09/08	*1/06/09	*1/06/09	*2/17/09	*2/17/09	*3/12/09			*4/13/09	*4/15/09

\* Projected

**IOWA DEPARTMENT OF NATURAL RESOURCES  
COMPLIANCE AND ENFORCEMENT BUREAU**

**DATE:** November 1, 2008  
**TO:** Environmental Protection Commission  
**FROM:** Ed Tormey  
**SUBJECT:** Summary of Administrative Penalties

The following administrative penalties are due:

NAME/LOCATION	PROGRAM	AMOUNT	DUE DATE
Robert and Sally Shelley (Guthrie Center)	SW	1,000	3-04-91
Verna and Don Reed; Andrea Silsby (Union Co.)	SW	1,000	4-07-94
Elery Fry; Allen Fry; Becky Sandeen (Monroe Co.)	SW	6,000	1-20-96
Daryl & Karen Hollingsworth d/b/a Medora Store (Indianola)	UT	7,588	3-15-96
Robert Jeff White (Dallas Co.)	AQ/SW	10,000	7-14-97
Greg Morton; Brenda Hornyak (Decatur Co.)	SW/AQ/WW	3,000	11-04-98
Ray Stamper; Bryan Zenor (Polk Co.)	SW	2,000	12-12-98
Otter Creek Station (Dubuque Co.)	WS	325	3-04-99
Lindahl & Sons Salvage (Boone)	AQ/SW	10,000	11-29-00
R & R Ranch (Osceola)	WW	10,000	8-30-00
Teckenburg, Inc.; Jerry Teckenburg (Cedar Rapids)	UT	6,380	7-06-01
James Harter (Fairfield)	WW	1,483	8-01-01
Wisconsin North dba National Petroleum, Inc. (Clinton)	UT	5,000	8-04-01
# Troy DeGroote; Casey DeGroote (Butler Co.)	AFO/AQ/SW	108	3-08-02
Charlotte Caves (Oskaloosa)	HC	9,487	4-03-02
# Practical Pig Corporation (Clinton Co.)	AFO	2,000	5-26-02
Mobile World, L.C. (Camanche)	WW	2,000	5-27-02
M-F Real Estate; Fred "Butch" Levell (Carter Lake)	HC	1,701	8-18-02
Midway Oil Co.; David Requet (Davenport)	UT	5,355	9-20-02
Dale Schaffer (Union Co.)	AQ/SW	10,000	11-05-02
U.S. Petro, Inc.; SSJG Petroleum; Sukhdev Singh	UT	32,690	2-28-03
Midway Oil Co.; David Requet; John Bliss	UT	44,900	2-28-03
Green Valley Mobile Home Park (Mt. Pleasant)	WW	5,000	4-23-03
Midway Oil Company (West Branch)	UT	7,300	5-03-03
Midway Oil Company (Davenport)	UT	5,790	5-03-03
Efren Valdez (Warren Co.)	SW	2,782	6-09-03
Albert Miller (Kalona)	AQ/SW	10,000	9-26-03
Mark Anderson (Des Moines Co.)	AQ/SW	6,188	3-22-04
Mike Messerschmidt (Martinsburg)	AQ/SW	500	4-13-04
Interchange Service Co., Inc., et.al. (Onawa)	WW	6,000	5-07-04
Emer Carlson (Fairfield)	AQ	5,700	6-01-04
Iowa Falls Evangelical Free Church (Iowa Falls)	WS	750	6-13-04
Mitchell Town Pump (Mitchell)	WS	2,080	6-16-04
# Dunphy Poultry (Union Co.)	AFO	1,500	6-27-04
Shane Preder (Ft. Madison)	AQ	477	7-12-04
James L. Heal d/b/a A-1 Domestic (Homestead)	SW/WW	1,800	7-16-04
Ranch Supper Club (Swisher)	WS	300	8-02-04
# Cash Brewer (Cherokee Co.)	AFO/SW	10,000	8-25-04

\*Payment Schedule

#Animal Feeding Operation

**BOLD Entries Have Been Referred to DRF**

Spillway Supper Club (Harpers Ferry)	WS	1,500	9-06-04
David Niklasen (Shelby Co.)	SW	100	9-11-04
# Doorenbos Poultry; Scott Doorenbos (Sioux Co.)	AFO	1,500	10-09-04
T & T Corner Bar (McIntire)	WS	3,000	10-26-04
Rock N Row Adventures (Eldora)	WS	3,000	10-23-04
# Norm Cleveringa (Lyon Co.)	AFO	750	11-27-04
Americana Bowl (Ft. Madison)	WS	100	11-28-04
Monty Branstad (Winnebago Co.)	AQ/SW	8,000	2-03-05
Denzel Edwards (Cass Co.)	AQ/SW/HC	500	3-01-05
Harold Linnaberry (Clinton Co.)	SW	1,000	5-18-05
Elery Fry; Allen Fry; Mel Fry; Ron Fry (Moravia)	SW	10,000	6-20-05
Fedler and Company; Tony Fedler (Mt. Pleasant)	HC	3,670	6-25-05
# Matt Hoffman (Plymouth Co.)	AFO	750	8-08-05
Vernon Kinsinger (Washington Co)	SW	3,930	12-31-05
# Joel McNeil (Kossuth Co.)	AFO	2,500	1 21-06
Carl Cliburn (Wapello Co.)	AQ/SW	3,474	2-03-06
Affordable Asbestos Removal, Inc. (Monticello)	AQ	7,000	4-28-06
Jeff Albrecht (Humboldt Co.)	AQ	450	5-06-06
CRM Enterprises; Envirobest, Inc. (Iowa City)	AQ	7,000	5-21-06
# Mike Elsbernd (Winneshiek Co.)	AFO	3,000	6-29-06
# Troy VanBeek (Lyon Co.)	AFO	3,500	10-16-06
Larry Bergen (Worth Co.)	AQ/SW	907	11-01-06
Mobile World, LC; R. Victor Hanks (Clinton Co.)	WW	22,500	4-01-07
Edward Branstad; Monroe "Monty" Branstad (Forest City)	AQ	4,500	4-16-07
Colleen Weber (Mitchell Co.)	AQ/SW	1,500	6-01-07
James L. Heal; A-1 Imports (Homestead)	WW/SW	10,000	7-18-07
# Doug Orwig Site #1 (Dickinson Co.)	AFO	3,500	10-01-07
# Grand Prix Industries, Inc. (Kossuth Co.)	AFO	300	12-01-07
# Jim Christensen (Clay Co.)	AFO	6,000	12-27-07
# Leland Van Kooten; Darin Van Kooten (Leighton)	AFO	5,500	12-30-07
Muscatine County SWM Agency (Muscatine)	SW	4,000	1-03-08
Mark Witt; Witt Auto Salvage (Monroe Co.)	SW/WW	8,000	1-15-08
# JPP Pork, Inc. (Ainsworth)	AFO	3,000	2-09-08
Golden Furrow Fertilizer, Inc. (Agency)	HC	4,000	2-09-08
# Iowa Select Farms, LLP (Clarke Co.)	AFO	2,500	2-20-08
# Joshua Van Der Weide (Lyon Co.)	AFO	3,500	2-25-08
Clinton Community School District	WW	3,000	2-25-08
Mike Barrett; Jody Barrett (Polk Co.)	SW	6,200	3-05-08
Dexter Laundry, Inc. (Fairfield)	WW	2,500	5-07-08
William Norton (Cedar Co.)	WW	2,500	5-07-08
# Steve Elsbernd (Ridgeway)	AFO	3,500	5-25-08
# Ted Dickey dba Dickey Farms (Muscatine Co.)	AQ/SW/AFO	4,000	6-01-08
# Doug Osweiler (South English)	AFO	5,000	6-01-08
Joe'd, Karen and Jesse Axmear (Keokuk Co.)	AFO	4,000	6-19-08
# Edward Dale Klyn (Wayne Co.)	AFO	5,000	6-28-08
Karl Molyneux (What Cheer)	AQ/SW	2,500	7-19-08
Newport Junction Corp.; Kum & Go LC (Wapello)	WS	2,500	7-31-08
Chad Hoppe; Steve Hoppe; Shady Acres MHP, (Chickasaw Co.)	WW	4,000	8-27-08
# Maple Grove Farms, LLC (Plymouth Co.)	AFO	3,500	9-05-08
Promise City, City of	WW	1,400	9-08-08
Algona, City of	WW	4,000	10-08-08
Aaron Wisman (Johnson Co.)	AQ/SW	1,000	10-12-08
Newell, City of	AQ/SW	6,000	10-15-08
Rodney Mandernach; Mandernach Pork (Sac Co.)	AFO	4,000	10-23-08

\*Payment Schedule

#Animal Feeding Operation

**BOLD Entries Have Been Referred to DRF**



John Bruening; FC Coop (Buena Vista Co.)	AQ/SW	1,000	11-07-08
Luft & Sons, Inc. (Buena Vista Co.)	AQ	1,500	11-07-08
J.D. Wollrab; Linn Hollow MHP (Washington Co.)	AQ/SW	1,000	11-08-08
Cottonballs, LLC (Winneshiek/Clayton)	AQ/SW	10,000	11-08-08
Pieper, Inc. (Lee Co.)	AQ	1,250	11-26-08
Jon Knabel (Clinton Co.)	AQ/SW	2,000	12-08-08
Wirtjers Trucking, Inc. (Sac Co.)	AQ/SW	5,000	12-15-08
Stuart Yoder (Johnson Co.)	AQ/SW	5,000	10-28-08
<b>TOTAL</b>		<b>476,965</b>	

**The following penalties have been placed on payment plans:**

* Jerry Feilen and Rick Bain (Pottawattamie Co.)	AQ/SW	1,663	12-15-03
#*Floyd Kroeze (Butler Co.)	AFO	1,500	6-01-04
#*James Boller (Kalona)	AFO	3,034	8-19-04
* Reginald Parcel (Henry Co.)	AQ/SW	110	4-23-05
* Country Stores of Carroll, Ltd. (Carroll)	UT	1,408	6-06-05
#*Tony Mertens (Mt. Pleasant)	<b>AFO</b>	<b>2,644</b>	<b>7-20-06</b>
#*Dale Schumann (Buena Vista Co.)	AFO	1,000	8-01-06
#*Galen Drent (Boyden)	AFO	1,510	2-01-07
#*Richard Beelner; Beelner 1 and 2 (Plymouth Co.)	AFO	100	4-01-07
* Douglas Bloomquist (Webster Co.)	AQ/SW	3,500	12-01-07
#*Charles Wauters (Keystone)	AFO/SW	3,500	12-01-07
#*Eugene Reed (Washington Co.)	AFO	500	12-01-07
* Jack Knudson (Irwin)	UT	10,000	1-15-08
* Fred Knosby (Cumming)	AQ/SW	1,664	3-15-08
* Randy Kennedy; R K Construction & Demolition (Slater)	AQ	1,600	4-15-08
* Craig Burns (Postville)	WW	1,950	4-15-08
* Fred Miller; Earthworks Contracting (Quimby)	AQ	6,720	4-15-08
* Willey, City of	AQ/SW	2,000	6-01-08
* Chelsea, City of	WW	200	6-15-08
#*Atsma Dairy Farms; Richard Atsma (Sioux Co.)	AFP	1,040	10-15-08
#*Doug Hymbaugh (Ringgold Co.)	AQ/SW	400	10-08-08
#*James Hogan; Hogan Brothers (Jones Co.)	AFO	728	11-01-08
#*Donald Burken, Sr.; Donald Burken, Jr.; L&M Hogs (Clinton)	AFO/WW	2,000	11-01-08
#*Neal Rupiper (Carroll)	AQ/SW		
	AFO	1,312	10-10-08
* Curt and Kelly Tracy; Condev, Inc. (Union Co.)	AFO	7,043	12-11-08
#*Brian Hofmeyer (Sioux Co.)	AFO	3,394	11-15-08
* Hidden Valley MHP; Larry Fishback (Washington)	WW	1,400	9-15-08
* Goldsmith & Son, Inc.; J & G Pallet LLC (Sergeant Bluff)	WW	4,200	10-15-08
#*John Kauffman (Iowa City)	AFO	416	10-20-08
* John Danker (Lee Co.)	AQ/SW	555	11-22-08
#*Loren and Rhonda Van Zante (Eddyville)	AFO	1,750	10-30-08
#*Loren and Rhonda Van Zante (Eddyville)	AFO	2,100	10-30-08
#*Richard Steen; Jeff Behrens (Montgomery Co.)	AFO	7,000	10-19-08
#*Chris Hunt; Steven Hunt; Hunt Bros. Feedlot (O'Brien Co.)	AFO	1,490	3-01-09

\*Payment Schedule

#Animal Feeding Operation

**BOLD Entries Have Been Referred to DRF**

#Meyer Bros.; Steve Meyer (Ida Co.)	AFO	2,812	11-01-08
#Joe Tomka (Carroll Co.)	AFO	1,750	12-01-08
#Edward Pechous (Johnson Co.)	AFO	2,250	10-15-08
<b>TOTAL</b>		<b>86,451</b>	

**The following administrative penalties have been appealed:**

NAME/LOCATION	PROGRAM	AMOUNT
Gerald and Judith Vens (Scott Co.)	FP	5,000
Dallas County Care Facility (Adel)	WW	5,000
# Jeff Holland (Winnebago Co.)	AFO	5,500
# Swine USA; Davis Finishing Site (Clarke Co.)	AFO	750
LeMars, City of	WW	9,000
Cliff's Place (Waverly)	WS	5,800
Anthony Herman; Mighty Good Used Cars (Polk Co.)	WW	7,500
Brush & Weed Control; New Farmers Drainage (Monona Co.)	WW	10,000
Ray Griffin; SEMCO (Keokuk Co.)	SW/WW/AQ	10,000
Edna Richman (Wapello Co.)	AQ/SW	3,000
James Olchefske; Hidden Valley MHP (Wapello Co.)	AQ/SW	3,000
Robert A. Nicholson; Hidden Valley MHP (Wapello Co.)	AQ/SW	3,000
<b>TOTAL</b>		<b>67,550</b>

**The following administrative penalties have been collected:**

NAME/LOCATION	PROGRAM	AMOUNT
# Gary Chamness (Blairsburg)	AFO/AQ/SW	4,000
Herberger Construction Co., Inc. (Indianola)	AQ	1,000
DeLong Construction, Inc. (Washington)	AQ/SW	2,000
* Curt and Kelly Tracy; Condev, Inc. (Union Co.)	AFO	190
#*John Kauffman (Iowa City)	AFO	208
* Goldsmith & Son, Inc.; J & G Pallet LLC (Sergeant Bluff)	WW	200
* John Danker (Lee Co.)	AQ/SW	139
#*Brian Hofmeyer (Sioux Co.)	AFO	670
Bedrock Gravel, Inc. (Buena Vista Co.)	AQ/SW	2,500
Washington Co. Hospital & Clinics (Washington)	AQ	1,000
#*James Hogan; Hogan Brothers (Jones Co.)	AFO	104
# Jim Yule (Packwood)	AFO	2,500
#*Meyer Bros.; Steve Meyer (Ida Co.)	AFO	937
Haley Equipment, Inc. (Carroll Co.)	AQ/SW	1,000
#*Doug Hymbaugh (Ringgold Co.)	AQ/SW	200
#*Donald Burken, Sr.; Donald Burken, Jr.; L&M Hogs (Clinton)	AFO/WW	500
# Dan Witt (Clinton Co.)	AFO	3,000
#*Neal Rupiper (Carroll)	AFO	187
#*Brian Hofmeyer (Sioux Co.)	AFO	670
* Curt and Kelly Tracy; Condev, Inc. (Union Co.)	AFO	190
* John Danker (Lee Co.)	AQ/SW	139

\*Payment Schedule

#Animal Feeding Operation

**BOLD Entries Have Been Referred to DRF**

#*Loren and Rhonda Van Zante (Eddyville)	AFO	250
#*Loren and Rhonda Van Zante (Eddyville)	AFO	300
#*Atsma Dairy Farms; Richard Atsma (Sioux Co.)	AFP	208
*Wes and Jaci Vande Krol (Eddyville)	AQ/SW	1,500
	<b>TOTAL</b>	<b>23,592</b>

The following penalty payments were collected by the Department of Revenue during the Month of September.

NAME/LOCATION	PROGRAM	AMOUNT
Daryl Hollingsworth	UT	102
Jeff Albrecht	AQ	50
Emer Carlson	AQ	100
	<b>TOTAL</b>	<b>252</b>
<b>Total Penalties Collected</b>		<b>23,844</b>

\*Payment Schedule

#Animal Feeding Operation

**BOLD Entries Have Been Referred to DRF**

# Iowa Department of Natural Resources

## Environmental Services Division

### Report of Manure Releases

During the period September 1, 2008, through September 30, 2008, 4 reports of manure releases were forwarded to the central office. A general summary and count by field office is presented below.

Month	Total Incidents	Feedlot	Confinement	Land Application	Transport	Hog	Cattle	Fowl	Other	Surface Water Impacts
October	10 (12)	1 (0)	5 (9)	1 (0)	2 (2)	8 (9)	1 (0)	0 (2)	0 (0)	2 (1)
November	10 (10)	0 (0)	5 (2)	0 (3)	5 (5)	9 (8)	0 (1)	1 (1)	0 (0)	2 (1)
December	4 (5)	0 (0)	3 (5)	0 (0)	1 (0)	3 (4)	1 (1)	0 (0)	0 (0)	0 (1)
January	1 (4)	0 (0)	1 (3)	0 (1)	0 (0)	0 (4)	0 (0)	1 (0)	0 (0)	0 (0)
February	3 (4)	0 (0)	2 (2)	0 (0)	1 (2)	2 (3)	1 (1)	0 (0)	0 (0)	0 (1)
March	4 (7)	0 (0)	4 (6)	0 (0)	0 (0)	4 (6)	0 (0)	0 (0)	0 (0)	3 (2)
April	9 (4)	1 (2)	6 (2)	2 (0)	0 (0)	7 (2)	2 (2)	0 (0)	0 (0)	4 (2)
May	7 (5)	0 (0)	2 (2)	1 (2)	4 (0)	4 (3)	1 (1)	2 (0)	0 (0)	3 (0)
June	4 (7)	3 (1)	0 (2)	1 (0)	0 (3)	1 (4)	2 (2)	0 (0)	1 (0)	0 (0)
July	1 (0)	0 (0)	1 (0)	0 (0)	0 (0)	0 (0)	1 (0)	0 (0)	0 (0)	1 (0)
August	1 (4)	0 (0)	1 (4)	0 (0)	0 (0)	0 (4)	1 (0)	0 (0)	0 (0)	0 (0)
September	4 (4)	0 (0)	3 (1)	1 (0)	0 (2)	2 (2)	2 (1)	0 (0)	0 (0)	0 (1)
<b>Total</b>	58 (66)	5 (3)	33 (38)	6 (6)	13 (14)	40 (49)	12 (9)	4 (3)	1 (0)	15 (9)

(numbers in parentheses for the same period last year)

Total Number of Incidents Per Field Office This Period:

<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>
0	0	1	2	0	1

# Iowa Department of Natural Resources Environmental Services Division Report of Hazardous Conditions

During the period September 1, 2008, through September 30, 2008, 62 reports of hazardous conditions were forwarded to the central office. A general summary and count by field office is presented below. This does not include releases from underground storage tanks, which are reported separately.

Month	Total Incidents	Substance					Mode			
		Agri-chemical	Petroleum Products	Other Chemicals	Transport	Fixed Facility	Pipeline	Railroad	Fire	Other*
October	63 (52)	5 (5)	38 (34)	20 (12)	19 (14)	27 (29)	3 (0)	1 (3)	3 (2)	10 (4)
November	70 (60)	18 (13)	26 (30)	26 (17)	15 (19)	43 (27)	1 (2)	2 (4)	1 (1)	8 (7)
December	60 (28)	2 (3)	36 (20)	22 (5)	18 (5)	33 (18)	1 (0)	2 (2)	1 (0)	5 (3)
January	46 (37)	3 (4)	35 (21)	8 (12)	16 (11)	25 (19)	3 (3)	1 (1)	0 (0)	1 (3)
February	60 (49)	3 (6)	44 (37)	13 (6)	17 (6)	31 (35)	3 (1)	2 (3)	1 (0)	6 (4)
March	74 (71)	7 (5)	49 (52)	18 (14)	21 (19)	38 (45)	5 (0)	4 (0)	0 (0)	6 (7)
April	86 (76)	23 (23)	47 (32)	16 (21)	26 (24)	50 (41)	1 (1)	4 (0)	2 (2)	3 (8)
May	106 (101)	33 (36)	52 (42)	21 (23)	29 (42)	65 (43)	2 (4)	1 (4)	1 (1)	8 (7)
June	101 (71)	27 (21)	54 (33)	20 (17)	21 (15)	58 (46)	2 (2)	4 (1)	1 (1)	15 (6)
July	103 (65)	16 (8)	60 (39)	27 (18)	27 (16)	57 (35)	3 (1)	5 (2)	1 (0)	10 (11)
August	67 (89)	8 (10)	40 (58)	19 (21)	14 (23)	41 (49)	1 (1)	2 (1)	1 (2)	8 (13)
September	62 (64)	7 (3)	35 (35)	20 (26)	12 (23)	38 (28)	3 (0)	4 (5)	0 (0)	5 (8)
<b>Total</b>	<b>898 (763)</b>	<b>152 (137)</b>	<b>516 (433)</b>	<b>230 (192)</b>	<b>235 (217)</b>	<b>506 (415)</b>	<b>28 (15)</b>	<b>32 (26)</b>	<b>12 (9)</b>	<b>85 (81)</b>

(numbers in parentheses for same period last year)  
\*Other includes dumping, theft, vandalism and unknown

Total Number of Incidents Per Field Office This Period:

<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>
11	20	6	7	10	8